

REMARKS

Claims 1, 4-20 and 22-36 are pending. Claims 1, 4, 9, 16 and 19 are amended, and claims 2-3 and 21 are canceled with this response. The provisional allowance of claims 4-9, 12-13, 15, 17, 22-27, 30-31, 33 and 35 is noted with appreciation. Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

I. REJECTION OF CLAIMS 1-3, 10-11, 14, 18-21, 28-29, 32 AND 36 UNDER 35 U.S.C. § 102(e)

Claims 1-3, 10-11, 14, 18-21, 28-29, 32 and 36 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application No. 2003/0142926 (Dallas et al.). Withdrawal of the rejection is respectfully requested for at least the following reasons.

Claim 1 is directed to a method for producing an optical arrangement. The method comprises optically coupling an optical component with a waveguide and interposing an adjustment device having an auxiliary waveguide associated therewith between the optical component and the waveguide. The method further comprises providing an auxiliary substrate on or within the carrier substrate, and providing the adjustment device that comprises the auxiliary waveguide on or within the auxiliary substrate. It is respectfully submitted that Dallas et al. do not teach the auxiliary substrate and providing the adjustment device on or within the auxiliary substrate as recited in claims 1 and 19.

Dallas et al. disclose in Fig. 4 an optical arrangement, wherein a substrate 419 supporting a waveguide 417 resides on a carrier substrate 403. An adjustment device includes a thermal pad 401, solder 416, and an auxiliary waveguide 418 extending through the solder, and such adjustment device resides on the carrier substrate. ***No auxiliary substrate containing the adjustment device on or within the carrier substrate is disclosed as claimed.*** Therefore Dallas et al. fail to anticipate the

invention of claims 1 and 19, and its associated depending claims. Accordingly, withdrawal of the rejection is respectfully requested.

In addition, such claims are also non-obvious over the cited reference, because one of ordinary skill in the art would not be motivated to modify the art in accordance with the present invention. In Dallas et al., the thermal pad 401 is electrically connected to the contact pads 409, 411 and to respective switches 415 that are disposed on the carrier substrate 403. The thermal pad 401 is activated electrically *via* the switch 415 and contact pads 409, 411 to thereby melt or flow the solder 416 so that the auxiliary waveguide 418 can move for adjustment thereof with respect to the waveguide 417. Therefore the thermal pad 401 must be disposed in close physical proximity to the solder 416 for proper operation, otherwise, the solder will not flow. One of ordinary skill in the art would not be motivated to modify the teaching of Dallas et al. in accordance with the present invention because the thermal pad 401 would also have to be disposed on the auxiliary substrate, and thus electrical connections would have to be extended thereto from the contact pads 409, 411 residing on the carrier substrate. Such a modification would require a complex reconstruction of such connections, and may require, for example, wire bonding which may introduce additional reliability and/or cost issues. Thus claims 1 and 19 are also non-obvious over Dallas et al.


II. CONCLUSION

The claims currently under consideration are believed to be in condition for allowance.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should any fees be due as a result of the filing of this response, the Commissioner is hereby authorized to charge the Deposit Account Number 50-1733, MAIKP104US.

Respectfully submitted,
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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: September 28, 2005


Christine Gillroy